

frontline doctors and nurses and physical therapists and speech and hearing therapists, they understand that in overwhelming numbers a public option will be good for them and more importantly good for their patients and good for this country.

It is pretty clear an overwhelming number of people in this country, an overwhelming number of people in both Houses support the public option. I am confident it will be part of the bill. It is important that it is, because it will make this health care legislation, already a pretty good bill, significantly better.

I yield the floor.

Ms. MIKULSKI. Sorry I cannot stand. As the Senator from Ohio knows, of course, from the chair I am sitting in I have become an expert on health care from the wheelchair up. I broke my ankle coming out of church a couple weeks ago.

But I would like to ask the Senator from Ohio to yield for a few questions. I was taken by the three vignettes he just told. They are fairly representative of what I get from Maryland. I would like to talk about the young girl who had graduated and was deluged now with the debt of medical bills and the public option.

Is the Senator familiar with the fact that there are 47 million uninsured in our country? Does the Senator from Ohio know how many of those are between the ages of 18 and 30?

Mr. BROWN. I do not know the precise number. But I know it is millions of them are that age who lose their insurance and do not get insurance and hope they do not get sick.

Ms. MIKULSKI. Well, again, for background in continuing the discussion. That is 35 percent of the uninsured. So is the Senator aware that if we followed through with the HELP Committee bill and the public option and also private sector competing with the public option offer, a reasonably no frills, reasonable cost health insurance bill for young people, especially young people's benefit, that we would cover 35 percent of the uninsured?

Mr. BROWN. I think that is right. As the Senator knows as a senior member of the HELP Committee who wrote some major part of this bill, we are not only going help those 25-, 28-year-olds buy insurance through the public option or through private insurance, as the Senator suggests, we also, if they are low or moderate income, give them assistance to be able to afford these plans.

We are not going to say: Go out and buy insurance. We are going to keep the cost down through competition but also help them with some kind of subsidies to help them buy that insurance.

Ms. MIKULSKI. Can I go to the man who sands floors for a living, the small businessperson whom we worry about who is a self-employed person. Under the Senator's concept of a public option, is it true then that whether it is he or a florist, maybe a real estate

agent, that one of the reasons they could afford it is they could go into the health exchange or the public option—would the public option not only offer insurance but offer bargaining power for better prices on insurance? They could bargain for better prices from hospitals, doctors, and pharmaceuticals?

Mr. BROWN. That is exactly right.

Ms. MIKULSKI. In other words, why would a little guy or gal not only want to be able to buy in, not only would the price be exorbitant, or is it that it would be an Uncle Sam's club that is buying things at bulk rate that enables them to afford the services?

Mr. BROWN. The Senator makes a terrific point. The man she talked about, Jason from Cleveland, who sands and refinishes hardwood floors, he was only in a group of four. You can't get good prices in a group of four. He would be joining a group of millions, whether he chooses a private company or especially the public option. The Senator knows, from her work with the number of Federal employees she has in the Washington, DC, area and the suburbs of Maryland that the Veterans' Administration is able to negotiate for prescription drugs. The VA pays probably no more than half as much for prescription drugs as any of us going to the drugstore would pay. The public option will work the same way. They will use the size. The larger pool of employees will be able to get much less expensive hospital, doctor, and prescription drug costs.

Ms. MIKULSKI. I thank the Senator.

Mr. BROWN. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

USA PATRIOT ACT SUNSET EXTENSION ACT

Mr. HATCH. Mr. President, today I rise to express my concerns about the PATRIOT Act Sunset Extension Act. This bill, which is currently before the Senate Judiciary Committee, could have dire consequences on intelligence collection and investigations. While I have several concerns about the provisions in this bill and how they will adversely affect the intelligence community, particular attention should be given to what our intelligence professionals have said about this bill.

Stakeholders in the intelligence community and the FBI have expressed concern that this bill will have serious consequences on the tools those agencies rely on to carry out intelligence investigations, identify operatives, and prevent future attacks. These tools are critical for detecting and disrupting terrorist plots in the United States before they become imminent threats to our safety.

As we have seen in the past few weeks, investigations in Texas, Illinois, Colorado, and New York confirm what we already know: there are people in this country who want to and intend to harm us. The only way to stop these terrorist operatives is to give our counterterrorism specialists the tools they depend on to detect these plots, thwart attacks, and, if possible, arrest the persons planning these operations.

I am troubled by the fact that we are rushing this bill through committee without taking the time to consider the concerns of those charged with detecting terrorist plots. I urge my colleagues who are ready to stand up and say this bill will not adversely affect current and future investigations to stop for a moment and listen to the professionals who use and need these tools on a daily basis. Do not just hear their concerns, really listen to them. Many of these professionals were around before September 11, and they remember how difficult it was to act quickly to collect basic information about terrorists.

Three provisions of the PATRIOT Act are set to expire on December 31, 2009. These are roving wiretaps; business records access, also referred to as section 215 business records; and the lone wolf provision. At this time, the lone wolf provision has yet to be used. It was created in response to the Moussaoui case. The provision amended FISA's definition of an "agent of a foreign power" to include any person, other than a U.S. person, who "engages in international terrorism or activities in preparation therefore."

The expanded definition allows the government to obtain a FISA, Foreign Intelligence Surveillance Act, court order to surveil a non-U.S. person who has no known ties to a group or entity. Congress passed this lone wolf provision because it was concerned that previous FISA definitions did not cover unaffiliated individuals—or those for whom no affiliation can be established—who, nonetheless, engage or are preparing to engage in international terrorism.

FBI Director Mueller has asked specifically that this authority be extended so if the FBI comes across another "Moussaoui," there will be no doubt that the FBI can intercept that target's communications. This seems reasonable to me. We would not tell a police officer he had to give up his gun simply because he has not used it yet, would we?

The other two provisions set to expire are roving wiretaps and business records searches. These tools are extremely important in the FBI's investigative work, and the FBI has a solid track record of using them too. From 2004 through 2008, the FBI has obtained 236 orders from the FISA court to produce business records. The business records authority has been exceptionally useful in many types of national security investigations. It routinely gives the intelligence community important information that can be used